Exhibit A

Case 6:15-cv-00033-RWS Document 28-1 Filed 04/02/15 Page 2 of 9 PageID #: 804



UNITED STATES PATENT AND TRADEMARK OFFICE

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NOTICE OF ALLOWANCE AND FEE(S) DUE

Thomas D. Fortenberry, Attorney at Law P.O. Box 2099 Woodville, TX 75979 EXAMINER
TSENG, CHENG YUAN

ART UNIT PAPER NUMBER

2184

DATE MAILED: 02/28/2014

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/941,427	07/12/2013	Robert J Donaghey	SVIPGP095M	7462

TITLE OF INVENTION: PERSONAL AREA NETWORK APPARATUS

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	\$960	\$0	\$0	\$960	05/28/2014

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN <u>THREE MONTHS</u> FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. <u>THIS STATUTORY PERIOD CANNOT BE EXTENDED.</u> SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.

If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

(571)-273-2885 or <u>Fax</u>

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission. CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address) Certificate of Mailing or Transmission 112117 02/28/2014 I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below. Thomas D. Fortenberry, Attorney at Law P.O. Box 2099 Woodville, TX 75979 (Depositor's name (Signature (Date APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 13/941.427 07/12/2013 Robert J Donaghev SVIPGP095M 7462 TITLE OF INVENTION: PERSONAL AREA NETWORK APPARATUS PUBLICATION FEE DUE PREV. PAID ISSUE FEE APPLN. TYPE ENTITY STATUS ISSUE FEE DUE TOTAL FEE(S) DUE DATE DUE nonprovisional UNDISCOUNTED \$960 \$960 05/28/2014 **EXAMINER** ART UNIT CLASS-SUBCLASS TSENG, CHENG YUAN 2184 710-017000 1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). 2. For printing on the patent front page, list (1) The names of up to 3 registered patent attorneys ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. or agents OR, alternatively, (2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required. 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type) PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment. (B) RESIDENCE: (CITY and STATE OR COUNTRY) (A) NAME OF ASSIGNEE Please check the appropriate assignee category or categories (will not be printed on the patent): 🔲 Individual 📮 Corporation or other private group entity 🖵 Government 4a. The following fee(s) are submitted: 4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above) ☐ Issue Fee A check is enclosed. ☐ Publication Fee (No small entity discount permitted) Payment by credit card. Form PTO-2038 is attached. The Director is hereby authorized to charge the required fee(s), any deficiency, or credits any Advance Order - # of Copies overpayment, to Deposit Account Number 5. Change in Entity Status (from status indicated above) NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment. Applicant certifying micro entity status. See 37 CFR 1.29 ☐ Applicant asserting small entity status. See 37 CFR 1.27 \underline{NOTE} : If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status. ☐ Applicant changing to regular undiscounted fee status. NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable. NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications. Authorized Signature _ Date Typed or printed name _ Registration No. _



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/941,427	07/12/2013	Robert J Donaghey	SVIPGP095M	7462
112117 75	90 02/28/2014		EXAM	INER
Thomas D. Fortenberry, Attorney at Law			TSENG, CHENG YUAN	
P.O. Box 2099				
Woodville, TX 759	079		ART UNIT	PAPER NUMBER
			2184	

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 dav(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

OMB Clearance and PRA Burden Statement for PTOL-85 Part B

The Paperwork Reduction Act (PRA) of 1995 requires Federal agencies to obtain Office of Management and Budget approval before requesting most types of information from the public. When OMB approves an agency request to collect information from the public, OMB (i) provides a valid OMB Control Number and expiration date for the agency to display on the instrument that will be used to collect the information and (ii) requires the agency to inform the public about the OMB Control Number's legal significance in accordance with 5 CFR 1320.5(b).

The information collected by PTOL-85 Part B is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

- 1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
- 2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
- 3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
- 4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
- 5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
- 6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
- 7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
- 8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
- 9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

	Application No. Applicant(s)		DODEDT I		
	13/941,427 Examiner	DONAGHEY, Art Unit	AIA (First Inventor to		
Notice of Allowability	CHENG-YUAN TSENG	2184	File) Status		
	SHERG FORM TOLING	2104	No		
The MAILING DATE of this communication appears on the cover sheet with the correspondence address All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.					
1. ☑ This communication is responsive to <u>2/21/2014</u> .					
A declaration(s)/affidavit(s) under 37 CFR 1.130(b) was/v	vere filed on				
 An election was made by the applicant in response to a restri- requirement and election have been incorporated into this act 		e interview on ₋	; the restriction		
 The allowed claim(s) is/are <u>31</u>. As a result of the allowed claim Highway program at a participating intellectual property office http://www.uspto.gov/patents/init_events/pph/index.jsp or sen 	e for the corresponding application. I	For more inform			
4. Acknowledgment is made of a claim for foreign priority under	35 U.S.C. § 119(a)-(d) or (f).				
Certified copies:					
a) All b) Some *c) None of the: 1. Certified copies of the priority documents have to complete the priority documents have to complete the priority documents have to complete the copies of the certified copies of the priority documents have to copies of the certified copies of the priority documents have to copies of the certified copies of the certified copies of the certified copies not received: * Certified copies not received:	peen received in Application No		pplication from the		
Applicant has THREE MONTHS FROM THE "MAILING DATE" of noted below. Failure to timely comply will result in ABANDONME THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.		omplying with t	he requirements		
5. CORRECTED DRAWINGS (as "replacement sheets") must be considered by the control of the contr	oe submitted.				
including changes required by the attached Examiner's Paper No./Mail Date	Amendment / Comment or in the Of	fice action of			
Identifying indicia such as the application number (see 37 CFR 1.8 each sheet. Replacement sheet(s) should be labeled as such in the	4(c)) should be written on the drawing e header according to 37 CFR 1.121(d)	gs in the front (r).	not the back) of		
 DEPOSIT OF and/or INFORMATION about the deposit of BIO attached Examiner's comment regarding REQUIREMENT FOR 			е		
Attachment(s)					
1. ☐ Notice of References Cited (PTO-892)	5. 🔲 Examiner's Amendm	nent/Comment			
 Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date <u>2/14/2014</u> 	6. 🛛 Examiner's Stateme	nt of Reasons t	for Allowance		
 Examiner's Comment Regarding Requirement for Deposit of Biological Material Interview Summary (PTO-413), Paper No./Mail Date 	7. Other				
/CHENG-YUAN TSENG/ Primary Examiner, Art Unit 2184					

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DETAILED ACTION

Allowable Subject Matter

- 1. Claim 31 is allowed.
- 2. The following is an examiner's statement of reasons for allowance.

The primary reason for the allowance of the claims is the inclusion of the limitation

"a first virtual device and a second virtual device integrated on a same single integrated circuit ... the first virtual device and the second virtual device allow communication therewith as virtually different physical devices ...

the first virtual device receives, directly endpoint-toendpoint a first virtual device-related other endpoint device
message to indicate the availability of the at least one other
endpoint device, sends a first virtual device-related message
indicating the availability for communication with the at least
one other endpoint device, receives a first virtual devicerelated signal including a first virtual device-related device
identifier, sends a first virtual device-related response to the
at least one other endpoint device, receives a first virtual
device-related other endpoint device response, sends a first

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virtual device-related second response including the first virtual device-related device identifier; and

the second virtual device receives a second virtual devicerelated other apparatus message from at least one other
apparatus to indicate the availability of the at least one other
apparatus for attachment, sends a second virtual device related
message indicating the availability for communication with the
at least one other apparatus, receive a second virtual devicerelated signal including a second virtual device-related device
identifier, sends a second device-related response to the at
least one other apparatus, receives a second virtual devicerelated other apparatus response, and sends a second virtual
device-related second response including the second virtual
device-related device identifier" in independent claim 31.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Contact Information

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3. inquiry concerning this communication or Any communications from the examiner should be directed to Cheng-Yuan Tseng whose telephone number is 571-272-9772. The examiner can normally be reached on Monday-Friday from 09:00 to 17:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Henry W.H. Tsai can be reached on (571)272-4176.Information regarding the status of an Application application may be obtained from the Patent Status information for Information Retrieval (PAIR) system. published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 or 571-272-1000.

/CHENG-YUAN TSENG/

Primary Patent Examiner, Art Unit 2184